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10/511,427

05/25/2005

Masafumi Kokura

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23117

7590

06/29/2007

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EXAMINER

ROSE, KIESHA L

ART UNIT

PAPER NUMBER

2822

MAIL DATE

DELIVERY MODE

06/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/511,427 | Applicant(s) KOKURA ET AL. | |
| | Examiner Kiesha L. Rose | Art Unit 2822 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-12 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-12 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/04, 6/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the preliminary amendment filed 15 October 2004.

Drawings

Figures 12-16 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

The information disclosure statement filed 1 June 2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

Claims 7 and 10 are objected to because of the following informalities:

Claim 7 discloses electro de it should be **electrode**

Claim 10 should read said laminated metal film 25 and protective film by a first etching where an etching rate of said metal film is almost equal to an etching rate of said protective film and a process for forming the contact hole comprises, a process for forming said contact hole in said insulation film by a second etching where an etching rate of said protective 5 film is almost zero.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,4-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art (Figs. 14-16) in view of Lee (U.S. Publication 20040090564)

In re claim 1, Applicant's Prior Art discloses a liquid crystal display that contains a substrate (139) comprising a first electrode (126), a second electrode (130) being formed on an insulation film (152) so as to cover at least a part of first electrode and

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electrically connected with first electrode through a contact hole (150) formed on the insulation film, wherein first electrode includes a laminated structure of a metal film (126) and a protective film (Page 12, lines 6-7), an etching rate of metal film is almost equal to an etching rate of protective film with respect to a first etching for forming metal film an protective film and an etching rate of protective film is almost zero with respect to a second etching for forming contact hole, wherein the protective film is an amorphous conductive oxide (ITO). (Page 12, lines 6-7) Applicant's Prior Art discloses all the limitations except for the protective film to contain indium oxide and zinc oxide. Whereas Lee discloses a crystal display device that contains a conductive oxide made of ITO (indium tin oxide) that could also be made of IZO (indium zinc oxide). The ITO and IZO are interchangeable. The conductive oxide is formed of ITO or IZO to function as a better transparent conductive oxide. (Paragraph 0072) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was formed to make the conductive oxide IZO to function as a better transparent conductive oxide as taught by Lee.

In re claim 4, Applicant's Prior Art discloses the metal film contains molybdenum. (Page 9, lines 9-10)

In re claim 5, Applicant's Prior Art discloses the protective film is formed at a side of contact hole with respect to metal film. (If the protective film is formed on the metal film then it would cover the metal film and would be on the side of the contact hole as in Fig. 16)

In re claim 6, APA discloses the metal film is formed at a side of contact hole with respect to protective film. (Fig. 16)

In re claim 7, APA disclose a thin film transistor including first electrode functioning as a drain electrode (126), a source electrode (124) and a gate electrode (122), wherein said second electrode (130) functions as a pixel electrode controlled by thin film transistor. (Page 6, line 39)

In re claim 8, APA discloses a gate signal line (112) being branched from gate electrode of thin film transistor, a gate insulation film (140) covering at least parts of gate electrode, wherein the drain electrode of thin film transistor is formed on gate insulation film and protective film protects gate insulation film under the drain electrode from second etching.

In re claim 9, APA discloses a counter substrate (154) opposed to substrate and a liquid crystal (158) inserted between substrate and counter substrate.

In re claim 10, Applicant's Prior Art discloses a liquid crystal display (Figs. 14-16) that contains a method of substrate (139) comprising a process of forming a first electrode (126), a process for forming an insulation film (152) covering at a least a part of first electrode, a process for forming a contact hole (150) in said insulation film by removing a part of said insulation film, and a process for forming a second electrode (130) on said insulation film where said first electrode and said second electrode are electrically connected through said contact hole, wherein said process for forming the first electrode comprises. a process for laminating a metal film(126) and a protective film (Page 12, lines 6-7) where said protective film is an amorphous conductive oxide (ITO)

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and a process for patterning both of said laminated metal film and protective film by a first etching where an etching rate of said metal film is almost equal to an etching rate of said protective film, and said process for forming the contact hole comprises.

a process for forming said contact hole in said insulation film by a second etching where an etching rate of said protective film is almost zero. Applicant's Prior Art discloses all the limitations except for the protective film to contain indium oxide and zinc oxide.

Whereas Lee discloses a crystal display device that contains a conductive oxide made of ITO (indium tin oxide) that could also be made of IZO (indium zinc oxide). The ITO and IZO are interchangeable. The conductive oxide is formed of ITO or IZO to function as a better transparent conductive oxide. (Paragraph 0072) Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was formed to make the conductive oxide IZO to function as a better transparent conductive oxide as taught by Lee.

In re claim 11, APA discloses the process of patterning comprises a process for patterning metal film and protective film by wet-etching using a mixed solution of weak acid. (Page 9, lines 14-17)

In re claim 12, APA discloses the first electrode functions as a drain electrode of a thin film transistor, second electrode functions as a pixel electrode controlled by thin film transistor, the method comprises a process for forming a gate signal line (112), a process for forming a gate electrode (122) of thin film transistor where gate electrode is branched from gate signal line, a process of forming a gate insulation film (140) covering at least a part of the gate signal line, a process of forming a source signal line

(114), a process of forming a source electrode (124) of thin film transistor where source electrode is branched from source signal line and a process of removing a part of the gate insulation film on the gate signal line wherein second etching is dry-etching and a part of the gate insulation film is removed while forming contact hole by dry-etching.

(Page 9, lines 25-26)

In re claim 15, APA discloses the metal film contains molybdenum. (Page 9, lines 9-10)

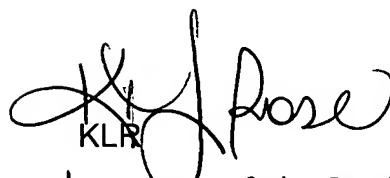
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiesha L. Rose whose telephone number is 571-272-1844. The examiner can normally be reached on T-F 8:30-6:00 off Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zandra Smith can be reached on 571-272-2429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


KLR
June 24, 2007